

IN RE: PETITIONS FOR SPECIAL
EXEMPTION AND ZONING VARIANCE
CORNER SW/S OF YORK ROAD AND
NW/S OF WEST ROAD (1050 YORK
ROAD) 9TH ELECTION DISTRICT

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 90-156-SPHA

HILLTOP SERVICE CORPORATION,
PETITIONER

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner her .n requests approval of a
Crematorium as an accessory use to a funeral establishment
pursuant to Zoning Policy No. BM-6, and variance from Section
238.2 of the Baltimore County Zoning Regulations (BCZR) to
permit a zero foot side yard set back in a BR zone in lieu of
the required 30 feet and to allow an accessory underground gas
tank and pump with a side yard setback of two feet and a rear
yard setback of 10 feet, both in lieu of the required 30 feet;
and from Section 238.1 to permit a front yard set back of
9 feet in lieu of the required 25 feet, all of which are more
particularly described in Petitioner's Exhibit 1.

The Petitioner was represented by John B. Howard,
Esquire and Robert A. Hoffman, Esquire, who appeared and
proffered testimony. Also appearing on behalf of the
Petitioner were; Ken Robinson, the manufacturer of the
crematorium equipment, George E. Gavrelis, an expert land
planner; and Michael W. Kendall, from the Department of
Environmental Protection and Resource Management. Michael J.
Ruck, Vice President of the Hilltop Service Corporation,

appeared as representative of the Petitioner. There were no
protestants.

Testimony indicated that the subject property, zoned
BR, is located on the corner of York and West Roads in Towson
and is improved with a funeral establishment known as the Ruck
Funeral Home in Towson. Mr. Hoffman proffered that the
Petitioner, in order to meet the increasing demand for
cremation as a mean. of disposition from Ruck's three
locations, proposes to construct a 1,054 square foot addition
to an existing garage and storage area to house a crematorium.
Mr. Hoffman indicated that the size and use of the crematorium
would be accessory to the principal funeral home use under the
definition cited in Section 101 of the BCZR. He also
introduced a site plan (Petitioner's Exhibit No. 1) and
elevation drawings (Petitioner's Exhibit No. 2) reflecting the
size and scope of the proposed building to support this
statement. Mr. Kendall of DEPRM provided testimony that the
equipment to be used in the facility would exceed the minimum
air quality standards of his department and has recommended
the issuance of the required State air quality permit.

Mr. Gavrelis stated that even though the crematorium
could have been physically located elsewhere on the property
without the need for variances under the BCZR, the proposed
location was the least intrusive to adjacent properties and
roadways. Mr. Gavrelis further stated that underground
gasoline tanks and pumps would have to be moved to accommodate

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Date 11/23/89
By [Signature]

the crematorium and that the proposed location for the tanks
and pumps was also the least intrusive site available. To
site the crematorium, tanks, or pumps elsewhere would create
an undue hardship or practical difficulty on the Petitioner.

After reviewing the evidence presented, it appears
that the request to build a crematorium as an accessory use to
the funeral establishment should be approved. The proposed
expansion would not be detrimental to the health, safety, or
general welfare of the locality; will not tend to create
congestion in roads, streets, or alleys; will not create a
potential hazard, tend to overcrowd land, or cause an undue
concentration of population; will not interfere with the
adequate provisions of public facilities or the adequate light
and air; will not be inconsistent with the impermeable surface
and vegetative retention provisions of the BCZR or with the
purpose of the property zoning classification; and will not in
any other way be inconsistent with the spirit and intent of
the BCZR.

Furthermore, based upon the testimony and evidence
presented at the hearing, in the opinion of the Zoning
Commissioner, the variance relief requested sufficiently
complies with the requirements of Section 307 of the BCZR and,
therefore, should be granted. There is no evidence in the
record that the subject variance would adversely affect the
health, safety and/or general welfare of the public, and

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strict compliance with the BCZR would result in practical
difficulty and/or undue hardship upon the Petitioner.

Pursuant to the advertisement, posting of the
property and public hearing on these Petitions held, and for
the reasons given above, the approvals requested by the
Petitioner should be GRANTED.

THEREFORE, IT IS ORDERED by the Zoning Commissioner
of Baltimore County, Maryland, this 21 day of November, 1989,
that the Petition to allow a crematorium as an accessory use
to a funeral establishment pursuant to Zoning Policy No.
BM-6, and Petition for setback variances in accordance with
Petitioners Exhibit 1, are hereby Granted, from and after the
date of this Order, subject, however, to the following
restrictions, which are conditions precedent to the relief
Granted herein.

1. The Petitioner may apply for his building permit
and be granted same upon receipt of this Order; however,
Petitioner is hereby made aware that proceeding at this time
is at his own risk until such time as the 30 day appellate
process from this Order has expired. If, for whatever reason,
this Order is reversed, the Petitioner would be required to
return, and be responsible for returning, said property to its
original condition.

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By [Signature]

2. Utilization of services provided by the subject
crematorium shall be substantially limited to private, non-
commercial requests by customers of the Ruck Funeral Homes in
the ordinary course of business. Cremation shall not become a
"primary use" conducted from the subject site nor shall the
service be offered to funeral homes other than the Ruck
Funeral Homes more frequently than sixty (60) times per year.

3. Upon request and reasonable notice, the
Petitioner shall permit a representative of the Zoning
Enforcement Division to make an inspection of the subject
property to insure compliance with this Order.

J. Robert Haines
J. Robert Haines
Zoning Commissioner for
Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

November 29, 1989

John B. Howard, Esquire
Robert A. Hoffman
P.O. Box 5517
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
Hilltop Service Corporation, Petitioner
Case No. 90-156-SPHA

Gentlemen:

Enclosed please find a copy of the decision rendered in the above
captioned matter. The Petitions for Special Hearing and Zoning Variance
have been granted.

In the event any party finds the decision rendered unfavorable, any
party may file an appeal to the County Board of Appeals within thirty (30)
days from the date of this Order. For further information on filing an
appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

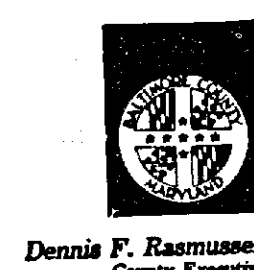
Very truly yours,

J. Robert Haines

J. ROBERT HAINES

Zoning Commissioner
for Baltimore County

JRH:mmm
cc: Peoples Counsel



Dennis F. Rasmussen
County Executive

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

90-156-SPHA

District 9th Date of Posting 10-16-89
Posted for: Special Hearing & Variance
Petitioner: Edward J. Ruck, Jr. & Son, Inc. Hilltop Service Corporation
Location of property: Corner SW/S of York Road and NW/S of West Road
1050 York Road
Location of Sign: West side of York Road in front of subject property
1050 York Road
Remarks: See above
Posted by: A. J. Ruck Date of return: 10-20-89
Number of Signs: 2

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

receipt
No 167
70 156

Date

11/03/89

N9000026

PUBLIC HEARING FEES	QTY	PRICE
050 - POSTING SIGNS / ADVERTISING	1 X	\$183.40
TOTAL:		\$183.40

LAST NAME OF OWNER: RUCK, INC.

8 114*****183401a *062F

Please make checks payable to Baltimore County

Cashier Validation:

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

October 23, 1989

BILLING CORRECTION

Dennis F. Rasmussen
County Executive

Hilltop Service Corporation
1050 York Road
Towson, Maryland 21204

Re: Case Number: 90-156-SPHA

Petitioner(s): Hilltop Service Corporation

Dear Petitioners:

Please disregard our prior billing dated October 17, 1989. The correct
amount of the advertising and posting charges for the above case is
\$183.40.

Again, the sign(s) and post(s) should be returned and these charges paid on
the date of the hearing.

Please allow me to apologize for any inconvenience the incorrect billing may
have caused.

Very truly yours,

G. G. Stephens

G. G. Stephens

Zoning Office
(301) 887-3391

cc: John B. Howard, Esq.

ORDER RECEIVED FOR FILING
Date 11/23/89
By [Signature]

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines Date: July 28, 1989

FROM: David H. Filbert 74

SUBJECT: Hilltop Service Corporation
(Item #12 - Zoning Advisory Committee - July 25, 1989)

Leonard J. Ruck, Inc., legal owner of Hilltop Service Corporation, will be required to obtain an approved Air Quality Permit to Construct prior to installation of the two crematoria, in accordance with the Code of Maryland Regulations (C. AR) 26.11.02.03 A. Moreover, this facility will require an annual Air Quality Permit to Operate in accordance with COMAR 26.11.02.04 A (1).

Prior to issuance of an approved Permit to Construct, opportunity for a public hearing must be provided and a legal notice placed in a local newspaper to advertise said hearing opportunity.

The proposed facility will also be subject to the odor and nuisance regulations of COMAR 26.11.06.08 and COMAR 26.11.06.09, as well as the visible emission regulation encoded in COMAR 26.11.08.04 B. The facility must also satisfy the requirements of the Toxic Air Pollutant regulation embodied in COMAR 26.11.15.

We have notified Mr. Michael J. Ruck and Mr. Earl L. Canapp, Jr., co-owners of Hilltop Service Corporation, regarding the permitting requirements and regulatory guidelines.

tk

RECEIVED
AUG 3 1989

ZONING OFFICE

CPS-008

Item 12
Revision
PETITION FOR ZONING VARIANCE
90-156-SPHA

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 238.2 to 26.11.02.03 A.0 ft. side yard set back in a

BR. zone in lieu of the required 30 ft. and Section 238.2 to permit a front set back of 9 ft. instead of the required 25 ft. and from Section 238.2 to allow an accessory underground gas tank and pump with

of the Zoning Regulations of Baltimore County, in the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

To be determined at Hearing

*a side yard set back of 2 ft. and a rear yard set back of 10 ft. both in lieu of the required 30 ft.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Petitioner/Developer:
Hilltop Service Corporation
(Type or Print Name)
By: Michael J. Ruck, Vice-President
Signature: Michael J. Ruck
Address: 1050 York Road
City and State: Towson, Maryland 21214

Legal Owner(s):
Leonard J. Ruck, Inc.
(Type or Print Name)
By: Michael J. Ruck
Signature: Michael J. Ruck
Address: 5305 Harford Road
City and State: Baltimore, Maryland 21214

Attorney for Petitioner:
John B. Howard, Esquire
(Type or Print Name)
Signature: John B. Howard
Address: 5305 Harford Road
City and State: Baltimore, Maryland 21214

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
John B. Howard, Esquire
Address: 210 Allegheny Avenue
City and State: Towson, Maryland 21204
Attorney's Telephone No.: 823-4111

ORDERED By The Zoning Commissioner of Baltimore County, this 28 day

of Sept 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 7th day of Nov 1989, at 2:30 o'clock

J. Robert Haines
Zoning Commissioner of Baltimore County

(over)

CERTIFICATE OF PUBLICATION

TOWSON, MD., Oct 13, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on Oct 12, 1989

TOWSON TIMES

S. Zake - Publisher

PO 17286
rg 90-156-SPHA
rg M34232
rg \$133.40

CERTIFICATE OF PUBLICATION

TOWSON, MD., Oct 13, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on Oct 12, 1989

THE JEFFERSONIAN

S. Zake - Publisher

PO 17286
rg M34232
rg 90-156-SPHA
rg \$133.40

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines

Zoning Commissioner

DATE 10/17/89

Hilltop Service Corporation
1050 York Road
Towson, Maryland 21214

ATTN: MICHAEL J. RUCK

Re: Petitions for Special Hearing and Zoning Variance
CASE NUMBER: 90-156-SPHA
Corner of SW/S of York Road and NW/S of West Road
1050 York Road
9th Election District - 4th Councilmanic
Legal Owner(s): Leonard J. Ruck, Inc.
Petitioner/Developer: Hilltop Service Corporation
HEARING: TUESDAY, NOVEMBER 7, 1989 at 9:30 a.m.

Gentlemen:

Please be advised that \$316.50 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRtgs

cc: John B. Howard, Esq.
File

NOTE:
(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 601.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the use of crematorium as an accessory use to a funeral establishment pursuant to Zoning Policy No. BM-6.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Petitioner/Developer:
Hilltop Service Corporation
(Type or Print Name)
By: Michael J. Ruck, Vice-President
Signature: Michael J. Ruck
Address: 1050 York Road
City and State: Towson, Maryland 21214

Legal Owner(s):
Leonard J. Ruck, Inc.
(Type or Print Name)
By: Michael J. Ruck
Signature: Michael J. Ruck
Address: 5305 Harford Road
City and State: Baltimore, Maryland 21214

Attorney for Petitioner:
John B. Howard, Esquire
(Type or Print Name)
Signature: John B. Howard
Address: 5305 Harford Road
City and State: Baltimore, Maryland 21214

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
John B. Howard, Esquire
Address: 210 Allegheny Avenue
City and State: Towson, MD 21204
Attorney's Telephone No.: 823-4111

ORDERED By The Zoning Commissioner of Baltimore County, this 20 day of Sept 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 7th day of Nov 1989, at 9:30 o'clock

J. Robert Haines
Zoning Commissioner of Baltimore County

(over)

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines

Zoning Commissioner

September 21, 1989

NOTICE OF HEARING

Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Hearing and Zoning Variance
CASE NUMBER: 90-156-SPHA
Corner of SW/S of York Road and NW/S of West Road
1050 York Road
9th Election District - 4th Councilmanic
Legal Owner(s): Leonard J. Ruck, Inc.
Petitioner/Developer: Hilltop Service Corporation
HEARING: TUESDAY, NOVEMBER 7, 1989 at 9:30 a.m.

Special Hearing Crematorium as an accessory use to a funeral establishment pursuant to Zoning Policy No. BM-6.
Variances to permit a 0 foot side yard setback in a BR zone in lieu of the required 30 ft. and to permit a front set back of 9 ft. instead of the required 25 ft. and to allow an accessory underground gas tank and pump with a side yard setback of 2 ft. and a rear yard set back of 10 ft. both in lieu of the required 30 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

J. Robert Haines
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRtgs

cc: Hilltop Service Corporation
John B. Howard, Esq.
File

DAFT-MCLINE-WALKER, INC. 200 East (Baltimore) Avenue Towson, Maryland 21204 301 296 3333 FAX 301 296 4705

Land Planning & Development Consultants



Land Planning
Engineering
Landscape Architecture
Surveying
Computer Design
Graphics

Description

To Accompany Zoning Petition

2.68 Acre Parcel

Southwest Side of York Road

Northwest Side of West Road

Ninth Election District, Baltimore County, Maryland

Beginning for the same at the end of the second of the two

following courses and distances measured from the intersection

of the centerline of York Road, with the centerline of West

Road, 60 feet wide, (1) Northwest 75 feet, more or less,

measured along the centerline of York Road, and thence (2)

Southwest 55 feet, more or less, thence leaving said point of beginning and the

southwest side of York Road and running and binding on the

northwest side of West Road, with all courses of this

description referred to the deed meridian in Liber M.H.K. Jr.

5954, Folio 305, the two following courses and distances, viz:

(1) South 12 degrees 24 minutes 30 seconds West 71.62 feet, and

thence (2) South 56 degrees 05 minutes 29 seconds West 386.72

feet to intersect the right-of-way line of Baltimore County

Beltway, thence leaving said northwest side of West Road and

running and binding on said right-of-way line, the six following

courses and distances, viz: (3) North 33 degrees 54 minutes 31

seconds West 203.63 feet, thence (4) North 03 degrees 03 minutes

32 seconds East 107.56 feet, thence (5) North 58 degrees 39

Page 1 of 2

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Rob Hoffman	210 Allegany Ave
John Howard	11
Mike Luck	1050 York Rd
George E. Gavrellis	MDW 2005, Suite 21204
Ken Robinson	P.O. Box 7796 - Orlean, IL 62454
Barbara Roney - interested	partly Towson, Md - 407 Wicks
Michael J. Kadach	Baltimore Co. Bureau of Planning
David H. Stapp	Baltimore Co. Air Quality Mgmt.

THE ORCHARD HILLS
COMMUNITY ASSOCIATION, INC.
P.O. Box 104
Lutherville, Maryland 21093

October 16, 1989

Mr. George Gavrellis
Daft-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21204

Dear Mr. Gavrellis:

RE: Ruck Funeral Home
Crematorium
Job 889061

By this letter, with reference to the Ruck Funeral Home's plan to install a two unit crematorium at their Towson location, 1050 York Road, the Orchard Hills Community Association, Inc. will not oppose the CRG waiver request from being granted.

We wish to thank you and Mr. Michael Ruck for arranging the meeting at Ruck's Towson location on Tuesday, September 12, 1989.

The Ruck personnel and Mr. Kenneth Robinson of Industrial Engineering and Equipment, Inc. satisfactorily addressed our concerns and answered all our questions. We appreciate the opportunity to meet with you.

Should you have any questions, please do not hesitate to contact us at 296-3017.

Sincerely,

Stephanie J. Bobloch, President

Stephanie J. Bobloch
President

Elaine D. Smyth
Vice-President

Orchard Hills Community
Association, Inc.

PETITIONER'S
EXHIBIT 3

cc: Mr. Michael Ruck
1050 York Road
Towson, Maryland 21204

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OCT 17 1989

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 25, 1989

COUNTY OFFICE BLDG.
111 N. Chesapeake Ave.
Towson, Maryland 21204

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

John B. Howard, Esquire
210 Allegany Avenue
Towson, MD 21204

RE: Item No. 12, Case No. 90-156-A
Petitioner: Leonard J. Ruck, et al
Petition for Zoning Variance and
Special Hearing

Dear Mr. Howard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINTARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Michael J. Ruck
Hilltop Service Corp.
1050 York Road
Towson, MD 21204

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner



Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this
20th day of September, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

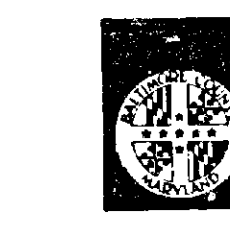
Received By:

James E. Dyer
Chairman
Zoning Plans Advisory Committee

Petitioner: Leonard J. Ruck, et al
Petitioner's Attorney: John B. Howard

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(301) 887-4500
Paul H. Reincke
Chief

JULY 24, 1989



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: PETITIONER: HILLTOP SERVICE CORP.
Location: CORNER OF SW/S OF YORK ROAD
Item No.: 12 Zoning Agenda: JULY 25, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Capri J. Kelly

Planning Group
Special Inspection Division

Noted and Approved: Capt. Tom J. Brady

Fire Prevention Bureau

JK/KEK

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

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AUG 3 1989

ZONING OFFICE

July 31, 1989



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20.

Very truly yours,

Michael S. Flahgan
Michael S. Flahgan
Traffic Engineer Associate II

MSF/lab

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: October 31, 1989
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Leonard J. Ruck, Inc., Item 12
Zoning Petition No. 90-156

The Petitioner requests a Variance for relief from setback requirements, and a Special Hearing to approve the accessory use of a crematorium.

The location of the crematorium adjacent to the I-695 right-of-way does not appear to generate any conflicts with sight distance, visibility, etc. This area is buffered due to existing vegetation and changes in topography.

Based upon analysis conducted and information provided, Staff recommends approval of the Petitioner's request subject to the following:

- The cross-hatched areas lying within the existing and proposed parking lot (on north west side of property) should be landscaped.
- Parking light standards should not exceed 12 feet in height and directed towards the parking lot area.
- Architectural elevations for the crematorium indicating similar building design and materials as the funeral home, should be provided and approved as part of the Zoning Variance.
- Staff has major concerns regarding the relocation of existing gas pumps and the storage tank on the property. DEPRM should be consulted prior to removal and the proposed location (exact location) should be shown on the site plan approved by the Zoning Commissioner. Staff would assist in review of this location if deemed appropriate.

- A landscape plan shall be reviewed and approved by the County Landscape Planner prior to the issuance of building permits.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK:ggf
10/15/89

11/1/89 Phoned John Howard for Plu spok
to Colleen

Maryland Department of Transportation
State Highway Administration

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AUG 29 1989

ZONING OFFICE

August 23, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attn: Mr. James Dyer

Re: Baltimore County
Ruck Funeral Home
Zoning Meeting of 7-25-89
W/S York Road (MD 45)
North of West Road
(Item #12)

Dear Mr. Haines:

This plan has been reviewed by our Project Development Section and we offer the following comment.

Currently our planned improvements of the Baltimore Beltway do not impact this site, however, as traffic volumes increase, movements may be restricted at West Road/ramp intersection and possible restriction of left turns across the median of West Road at the funeral home entrance. Changes in land use of this property causing backups on the beltway ramp, may result in our re-evaluation of this interchange and the potential acquisition of this property.

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,

Creighton J. Mills, Jr., Chief
Engineering Access Permits
Division

LB:maw

cc: Daft, McCune, Walker, Inc.
Mr. J. Ogle

My telephone number is (301) 333-1350 (Fax 333-1041)

Teleprinter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-482-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

August 7, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Attn: James Dyer

Re: Baltimore County
Ruck Funeral Home
Zoning meeting 7/25/89
W/S York Road
MD 45
North of West Road
Item #12

Dear Mr. Haines:

After reviewing the submittal for a special hearing to approve the crematorium as an accessory use to a funeral establishment, we offer the following:

We have forwarded this plan to our Project Development Section with concern to our future Beltway improvements and how it will impact this site.

We will forward revised comments once they are received. Also, we will need two additional copies of this plan for review.

If you have any questions, contact Larry Brocato (333-1350).

Very truly yours,

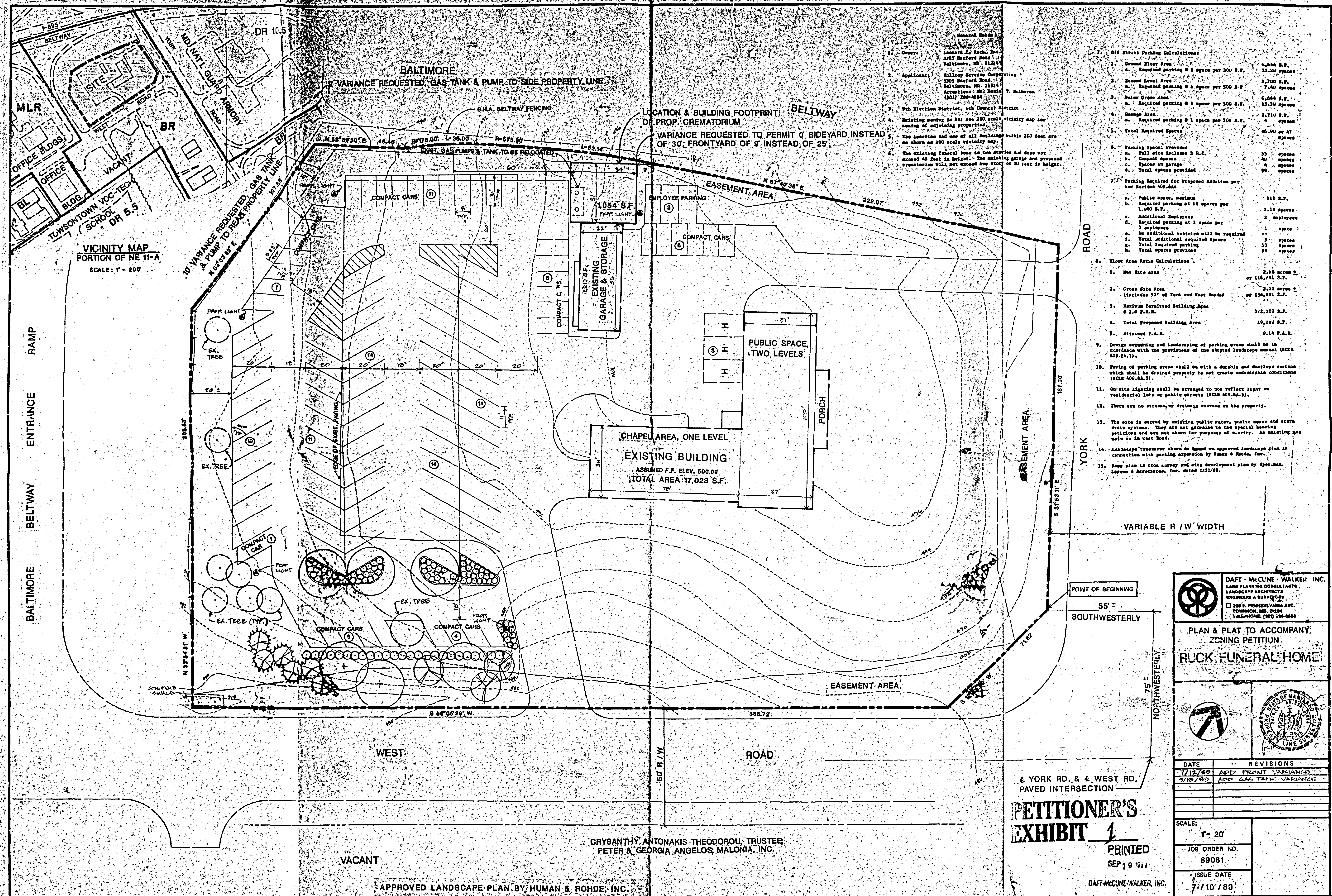
Creighton J. Mills, Jr., Chief
Engineering Access Permits
Division

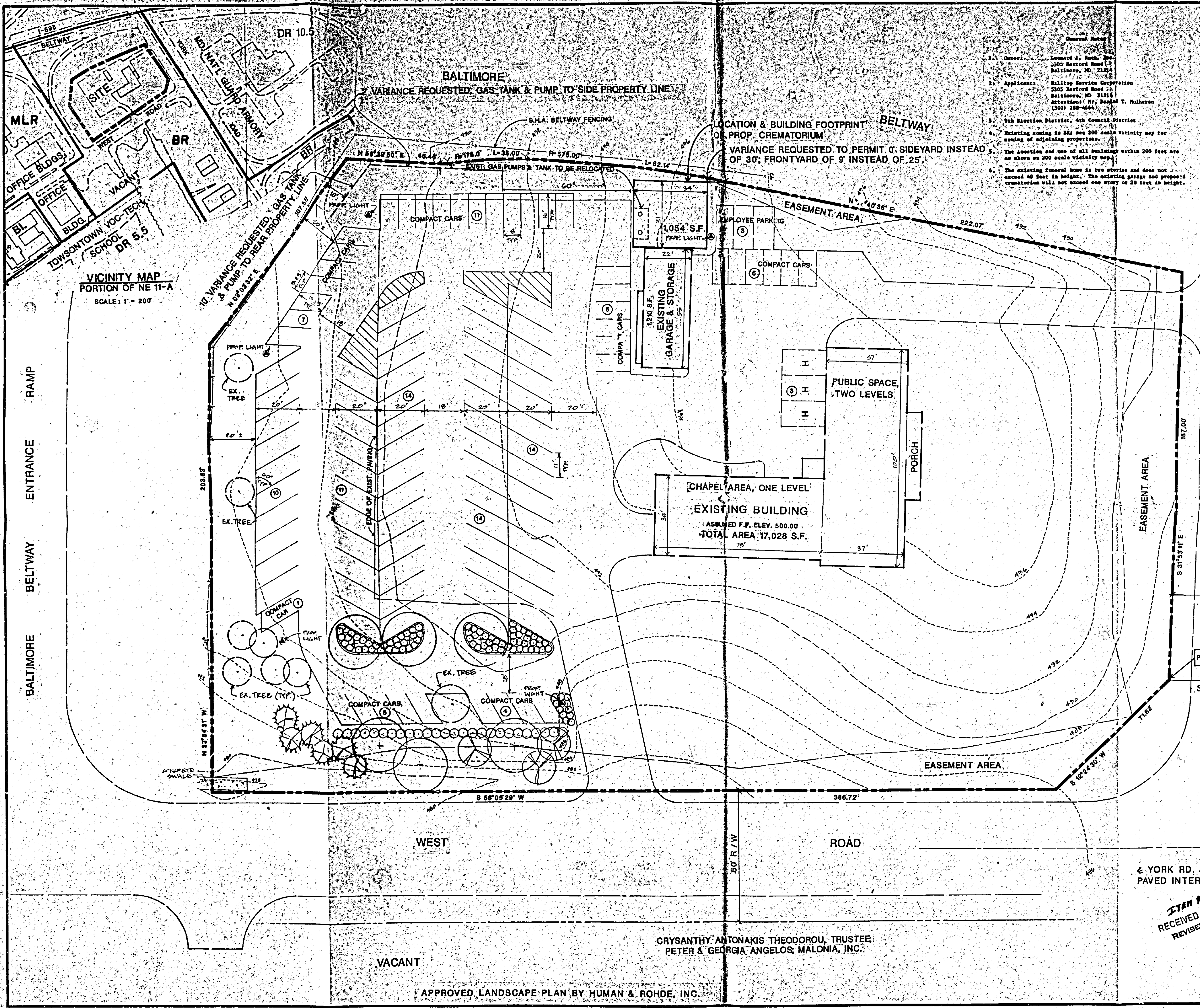
LB/es

cc: Daft McCune, Walker Inc.
Mr. J. Ogle

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- General Notes:
1. Owner: Leonard J. Ruck, Inc., 3305 Harford Road, Baltimore, MD 21214
 2. Applicants: Hilltop Service Corporation, 3305 Harford Road, Baltimore, MD 21214, Attention: Mr. Donald T. Mulhern (301) 248-4644
 3. 9th Election District, 4th Council District
 4. Existing zoning is B1 one 300 scale vicinity map for zoning of adjoining properties.
 5. The location and use of all buildings within 200 feet are as shown on 300 scale vicinity map.
 6. The existing funeral home is two stories and does not exceed 40 feet in height. The existing garage and proposed crematorium will not exceed one story or 20 feet in height.

- Off Street Parking Calculations:
- | 1. Ground Floor Area | 6,664 S.F. | |
|---|--------------------|--|
| a. Required parking @ 1 space per 300 S.F. | 22.21 spaces | |
| 2. Second Level Area | 3,700 S.F. | |
| a. Required parking @ 1 space per 300 S.F. | 12.33 spaces | |
| 3. Below Grade Area | 6,664 S.F. | |
| a. Required parking @ 1 space per 300 S.F. | 22.21 spaces | |
| 4. Garage Area | 1,210 S.F. | |
| a. Required parking @ 1 space per 300 S.F. | 4.03 spaces | |
| 5. Total Required Spaces | 46.90 or 47 spaces | |
| 6. Parking Spaces Provided | | |
| a. Full size includes 3 N.C. | 53 spaces | |
| b. Compact spaces | 40 spaces | |
| c. Spaces in Garage | 4 spaces | |
| d. Total spaces provided | 97 spaces | |
| 7. Parking Required for Proposed Addition per new Section 409.644 | | |
| a. Public space, maximum | 112 S.F. | |
| b. Required parking at 10 spaces per 1,000 S.F. | 1.12 spaces | |
| c. Additional Employees | 2 employees | |
| d. Required parking at 1 space per 2 employees | 1 space | |
| e. No additional vehicles will be required | — | |
| f. Total additional required spaces | 3 spaces | |
| g. Total required parking | 50 spaces | |
| h. Total spaces provided | 99 spaces | |
8. Floor Area Ratio Calculations
- | 1. Net Site Area | 2.68 acres ± | |
|--|-----------------|--|
| | or 116,411 S.F. | |
| 2. Gross Site Area (includes 30' of York and West Roads) | 3.12 acres ± | |
| | or 136,101 S.F. | |
| 3. Maximum Permitted Building Area @ 2.0 F.A.R. | 272,202 S.F. | |
| 4. Total Proposed Building Area | 19,292 S.F. | |
| 5. Attained F.A.R. | 0.14 F.A.R. | |
9. Design screening and landscaping of parking areas shall be in accordance with the provisions of the adopted landscape manual (BZC 409.8A.1).
10. Paving of parking areas shall be with a durable and dustless surface which shall be drained properly to not create undesirable conditions (BZC 409.8A.2).
11. On-site lighting shall be arranged to not reflect light on residential lots or public streets (BZC 409.8A.3).
12. There are no streams, or drainage courses on the property.
13. The site is served by existing public water, public sewer and storm drain systems. They are not germane to the special hearing petitions and are not shown for purposes of clarity. An existing gas main is in West Road.
14. Landscape treatment shown is based on approved landscape plan in connection with parking expansion by Human & Rohde, Inc.
15. Base plan is from survey and site development plan by Spielman, Larson & Associates, Inc. dated 1/31/89.

DAFT-McCUNE-WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS & SURVEYORS
205 E. PENNSYLVANIA AVE.
TOWNSHIP, MD. 21204
TELEPHONE: (301) 296-3333

PLAN & PLAT TO ACCOMPANY
ZONING PETITION
RUCK FUNERAL HOME

STATE OF MARYLAND
DEPARTMENT OF GENERAL SERVICES
DIVISION OF LAND & NATURAL RESOURCES

DATE	REVISIONS
7/12/89	ADD FRONT VARIANCE
9/16/89	ADD GAS TANK VARIANCE

SCALE: 1" = 20'

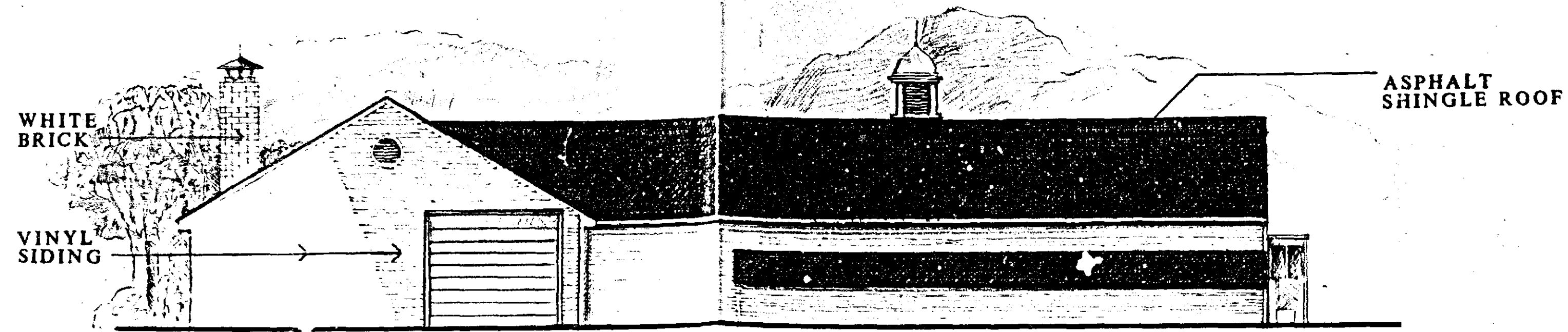
JOB ORDER NO. 89061

ISSUE DATE 7/10/89

RECEIVED SEP 20 1989
REVISED PLANS

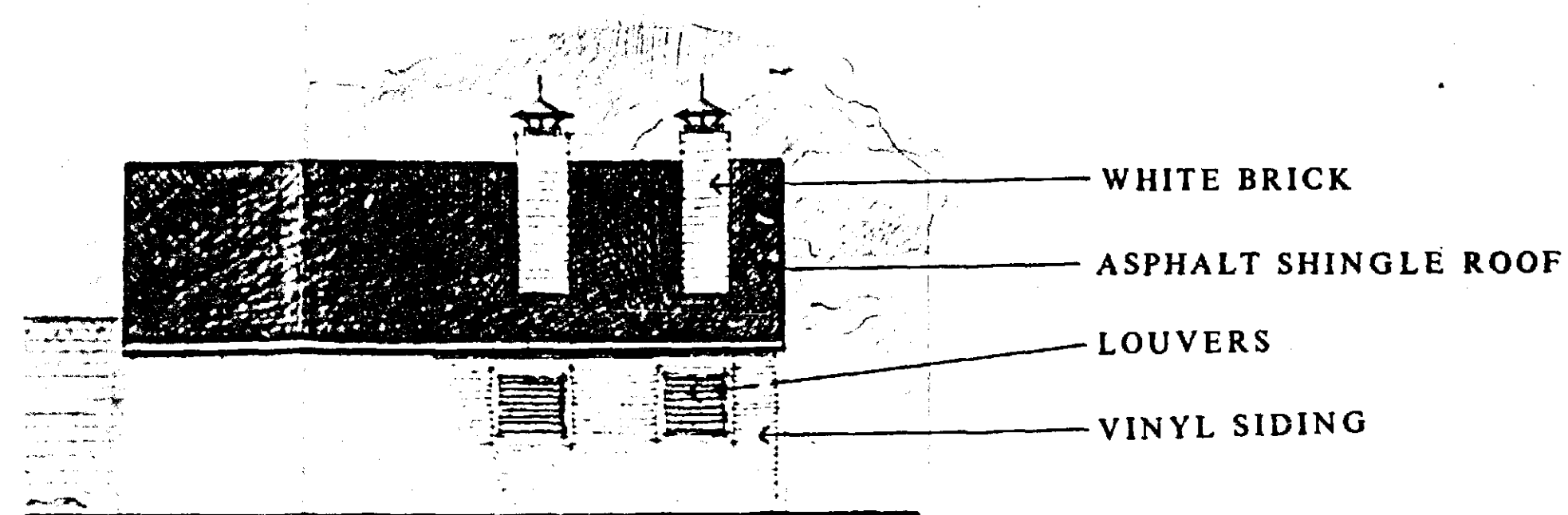
PRINTED
SEP 19 1989
DAFT-McCUNE-WALKER, INC.

APPROVED LANDSCAPE PLAN BY HUMAN & ROHDE, INC.



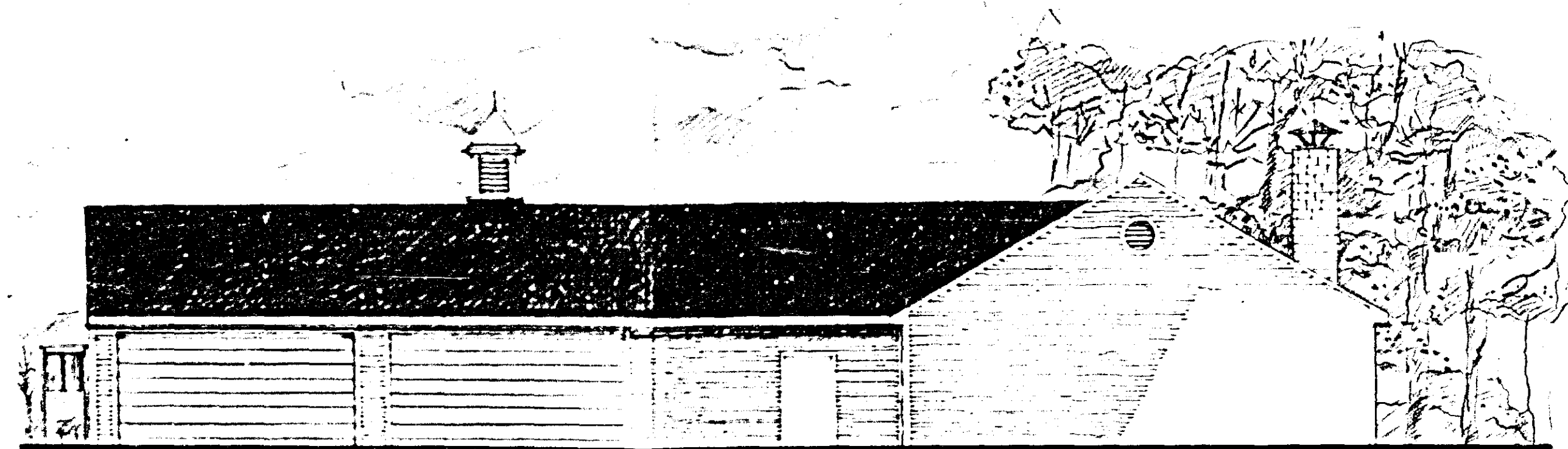
WEST ELEVATION

1/8"-1'-0"



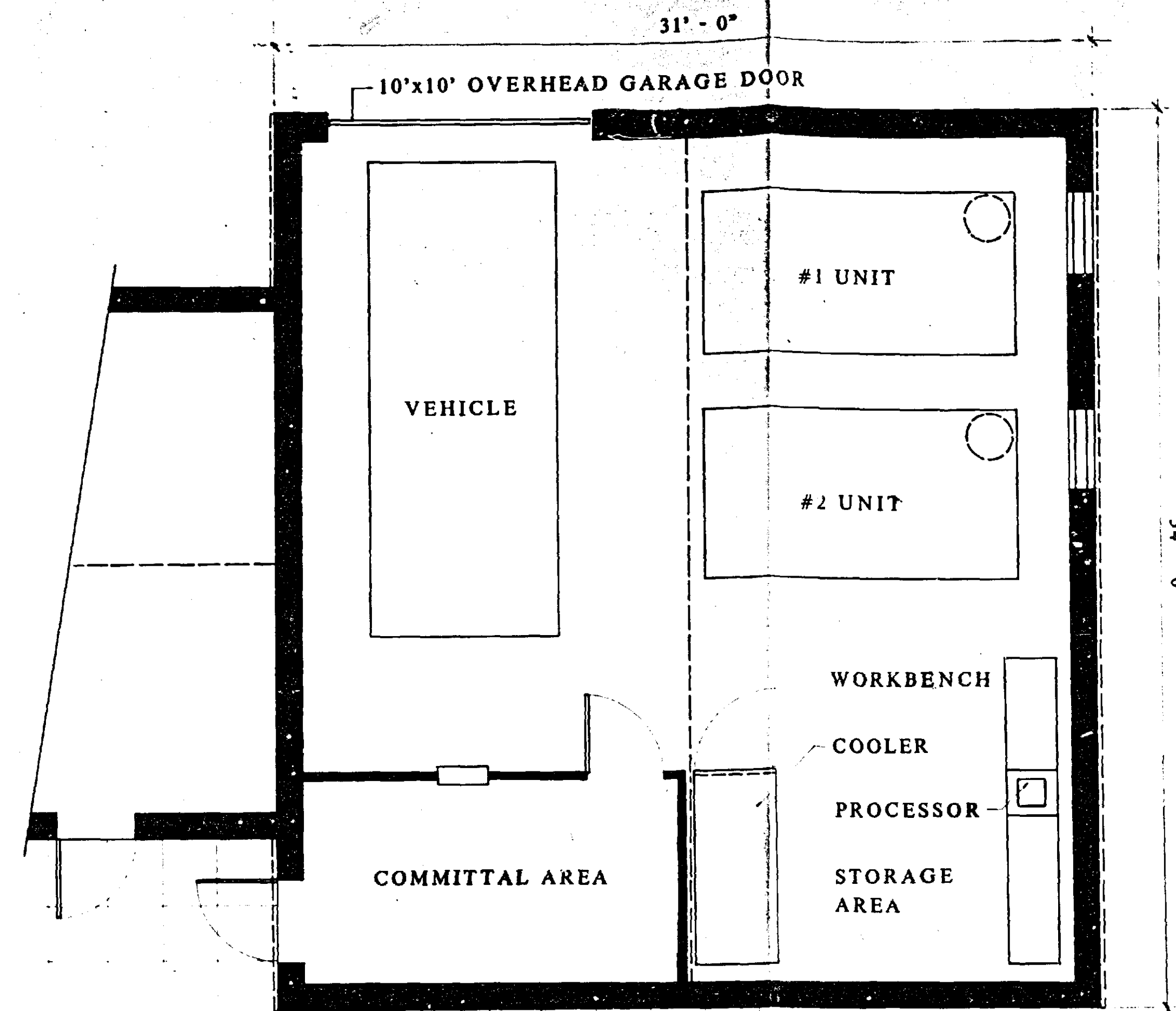
NORTH ELEVATION

1/8"-1'-0"



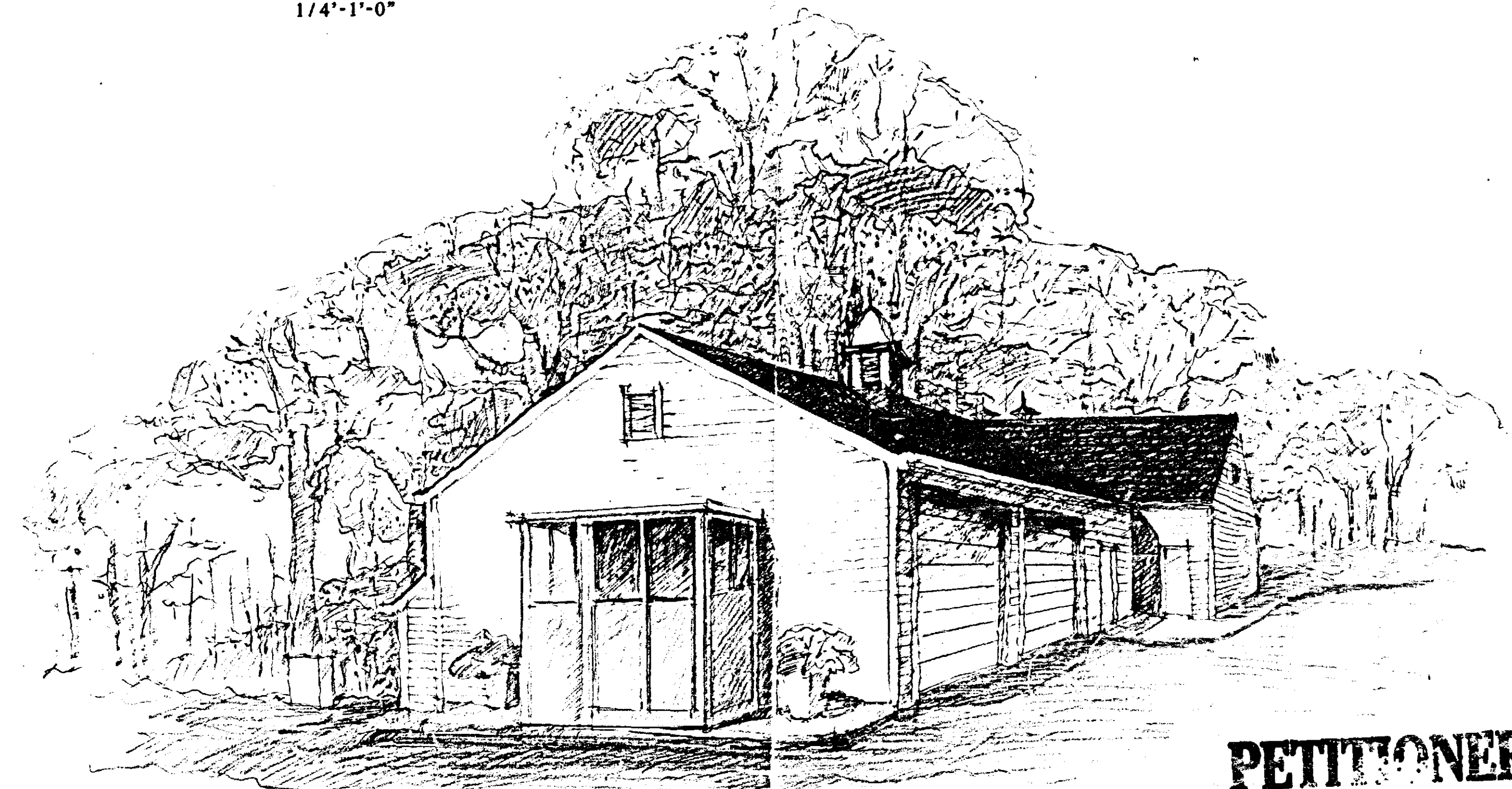
EAST ELEVATION

1/8"-1'-0"



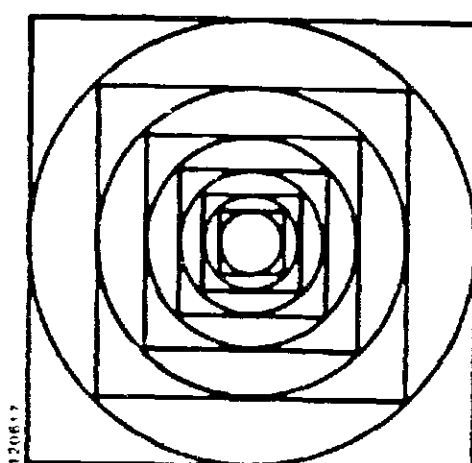
PLAN

1/4"-1'-0"



PERSPECTIVE SKETCH

PETITIONER'S
EXHIBIT 2



RUCK FUNERAL HOME CREMATORIUM

MEYERS & DALEO INC ARCHITECTS & PLANNERS 1106 N.CHARLES STREET BALTIMORE,MARYLAND 21201 301-752-7848

SCHEMATIC DESIGN

OCTOBER 31 1989